

1 PLANTIFF: Mr. Sanders

2 WITNESS: Ms. Peters

3 COURT:

4 DEFENDANT: Ms. Evans

5  
6 WARM UP

7  
8 DIRECT EXAMINATION

9 Q. BY MR. SANDERS: Good morning, Ms. Peters.

10 A. Good morning.

11 Q. Did you know a guy named Mike Green?

12 A. Yes.

13 Q. And how is it you first came to meet him? /

14 A. My boyfriend and I were dating and they were  
15 friends.

16 Q. What was your boyfriend's name?

17 A. Jimmy Cooper.

18 Q. Describe your relationship with Mike, if you  
19 could. / How often would you see him?

20 A. Mike was dating a girl named Amy, and the four  
21 of us just moved in together. I went from / not  
22 knowing them to living with them.

23 Q. Where were you living at that time?

24 A. Huntington Beach.

25 Q. Do you remember the address off the top of /  
26 your head?

1       A.     It was on Beach Boulevard.  I don't remember  
2 the apartment number.

3       Q.     Okay.  How long did that last where the four  
4 of you resided / in the same apartment?

5       A.     About five months.

6       Q.     During that five-month period of time, did you  
7 become friends with Mike?

8       A.     Uh-huh.

9       THE COURT:  You have to answer yes / or no.

10      THE WITNESS:  I am sorry.  Yes.

11      Q.     BY MR. SANDERS:  You got to know Mike a little  
12 bit better?

13      A.     Yes.

14      Q.     Now, at the end of that five-month period of /  
15 time, what happened that ended the roommate  
16 relationship at that point?

17      A.     Mike and Jimmy were both selling drugs out of  
18 the apartment and the foot \*/ traffic was becoming too  
19 much.  Mike's girlfriend at the time was also quite  
20 crazy.  She was very emotional and it just became a bit  
21 too / much for me.

22      Q.     Okay.  Describe for us what it is like living  
23 in a house like that where somebody is selling drugs.

24      MS. EVANS:  Objection.  No question / pending.

25      THE COURT:  Sustained.

1 Q. BY MR. SANDERS: You said foot traffic. What  
2 exactly do you mean?

3 A. People would be coming there all the time. We  
4 didn't have a front door, / we had a slider, and we  
5 were also very visible. People were coming up and  
6 knocking whenever they would run out of drugs in the /  
7 middle of the night.

8 Q. Okay. Your boyfriend and Mike were both  
9 dealing drugs?

10 A. Yes.

11 Q. All right. And are we talking about mostly  
12 marijuana or are / we talking about other drugs, too?

13 A. Primarily marijuana. Cocaine was going in and  
14 out of the apartment as well. It was small amounts. I  
15 didn't / see pounds of anything.

16 Q. When you say small quantities, describe for us  
17 what you are talking about. What do you mean?

18 A. Just the little bags. / I don't know very  
19 much about that side of his life. He pretty much kept  
20 that separate. I didn't want to see the drugs, no. \*/

21  
22  
23 \*\*END OF WARMUP\*\*  
24  
25  
26

1 EXAM

2  
3 Q. BY MR. SANDERS: They \*/ didn't really involve  
4 you in the drug transactions. You were sort of  
5 present, but you didn't know about how everything  
6 happened?

7 A. I knew what the / boys were doing, I just  
8 didn't want to be connected with any of it.

9 Q. You said Mike's girlfriend was very emotional?

10 A. Absolutely.

11 Q. What do you / mean by that?

12 A. She was extremely jealous and she acted out a  
13 lot. There was lots of yelling, screaming. They would  
14 fight. I didn't want / police coming to the house  
15 because of the fights due to what the boys were doing  
16 at the apartment.

17 Q. Kind of a stressful place to / live?

18 A. Correct.

19 Q. At some point you decided to relocate  
20 elsewhere; is that correct?

21 A. Yes.

22 Q. And where did you move when you moved out?

23 A. I returned / back home briefly to save up  
24 money.

25 Q. Back home where?

26 A. Residing with my parents.

1 Q. Where do your parents reside?

2 A. Costa Mesa.

3 Q. You moved back home / with your parents and  
4 you started saving money for what?

5 A. To move back out again. Since I left that  
6 apartment so quickly, I didn't have / any money saved  
7 for the down payment on a new apartment.

8 Q. When you eventually moved out, that left the  
9 three others still living there; is \*/ that correct?

10 A. Yes.

11 Q. Okay. When did that relationship end as far  
12 as them being roommates, if you recall?

13 A. I think it was within a couple / of months.  
14 Jimmy was wanting me to move back in. I asked him if  
15 Amy was still there and he told me everybody had moved.  
16 / I figured that he was --

17 MS. EVANS: Objection. No question pending.

18 THE COURT: Sustained.

19 Q. BY MR. SANDERS: All right. Now, on the  
20 occasions that you had witnessed Mike and Amy argue,  
21 did / you ever see him attack her?

22 A. No.

23 MS. EVANS: Objection. Relevance.

24 THE COURT: All right. Sustained.

1 Q. BY MR. SANDERS: Okay. All right. At some  
2 point you became aware of a falling-out between / your  
3 boyfriend Jimmy and Mike. Without going into the  
4 details of who told you what, do you know what that was  
5 over?

6 A. Amy.

7 Q. Okay. Do / you know what happened?

8 A. While Mike was out of town, Jimmy and Amy  
9 slept together in the apartment they were all sharing.

10 Q. Okay. Mike moved / out; is that correct?

11 A. Yes, that's what I heard at the time. I  
12 didn't live there anymore, so --

13 Q. I understand. So were you dating your /  
14 boyfriend during that period of time? I mean  
15 continuing to see him?

16 A. No.

1 START TYPING

2  
3 Q. BY MR. SANDERS: Did Mike ever violently  
4 attack your boyfriend as a result of that? \*/

5 A. No.

6 MS. EVANS: Objection. Relevance.

7 THE COURT: Sustained.

8 Q. BY MR. SANDERS: Okay. So Mike moves out.  
9 Tell us about the next contact that you had with  
10 Mike?

11 A. I hadn't seen him for / a while. I removed  
12 myself from Jimmy and that group of people. When I  
13 moved back to the area, I ran into Mike and we /  
14 started talking again.

15 Q. All right. Let me stop you there.

16 When you were living there, how would you describe  
17 your relationship with Mike in that / period of time?

18 A. I had a better relationship with Mike than I  
19 had with anyone in the house. He was very calm and --

20 MS. EVANS: Objection. Relevance. /  
21 Nonresponsive and relevance.

22 THE COURT: Sustained at this point.

23 Q. BY MR. SANDERS: How would you describe his  
24 demeanor when you were living with him?

25 MS. EVANS: Objection. Relevance.

26 THE COURT: Overruled. You may answer. /

1 THE WITNESS: Please repeat that.

2 Q. BY MR. SANDERS: How would you describe his  
3 demeanor? What was he like?

4 A. Very calm. Not high-strung. If there was  
5 ever a problem in the / house, one of us was always  
6 going to him to talk about it because he would smooth  
7 out any situation.

8 Q. Okay. So you move back / in with your  
9 parents.

10 You collect a little bit of money and you run into  
11 Mike someplace. Do you remember where that was?

12 A. I don't \*/ remember where I ran into him. I  
13 am sorry.

14 Q. Tell us about your contact with him.

15 A. I asked him what he had been doing. He / had  
16 recently joined a bowling league.

17 MS. EVANS: Objection. Calls for hearsay.

18 THE COURT: I think the question has been answered  
19 at this point in time. Sustained.

20 MR. SANDERS: Thank you, / your Honor.

21 THE COURT: Proceed.

22 Q. BY MR. SANDERS: Okay. You have a  
23 conversation with him. Is that fair to say?

24 A. Correct.

25 Q. Okay. In your conversation did the subject of  
26 living / together again come up?



1       A.     After we had hung out and gone out a couple  
2 more times, yes.

3       Q.     You ran into him and started your friendship /  
4 again?

5       A.     Uh-huh.

6       THE COURT:   You have to answer yes or no, please.

7       THE WITNESS:   Yes.   Sorry.

8       Q.     BY MR. SANDERS:   Now, I don't want to  
9 embarrass you, but during the time that you / were  
10 residing at the apartment the initial time or the  
11 subsequent time with Mike, were you ever romantic with  
12 him?

13      A.     Definitely not.

14      Q.     Just friends?

15      A.     Strictly / roommates.

16      Q.     All right.   So how often would you see Mike or  
17 talk to him?

18      A.     Approximately several times a week.

19      Q.     Would there be situations when you / would  
20 have discussions on the phone occasionally?

21      A.     Correct.

22      Q.     And you would see him out from time to time?

23      A.     Yeah, we would go out to dinner \*/ and go  
24 bowling and stuff like that.

25      Q.     Could you give us a ballpark of how often you  
26 would go bowling?

1 MS. EVANS: Objection. Relevance.

2 THE COURT: Overruled. You may / answer.

3 THE WITNESS: I think about three times before I  
4 moved in. Once we became roommates, we didn't really  
5 do that anymore.

6 Q. BY MR. SANDERS: All right. You have a /  
7 conversation with him about getting a place together;  
8 is that right?

9 A. He already had a place with an open room, so  
10 we talked about my / moving in, yes.

11 Q. Was he still dealing drugs?

12 A. Yes.

13 Q. Did you reach any agreement with Mike about  
14 that, or did you express any concerns to / him?

15 A. Yes.

16 Q. Was the agreement that there are not supposed  
17 to be drugs in the apartment?

18 A. Yes.

19 Q. Okay. Now, how long did you live with / Mike  
20 at that apartment before he disappeared?

21 A. Five, maybe six months.

22 Q. Was the foot traffic that you experienced in  
23 the other apartment still present?

24 A. Not / at all.

25 Q. You knew that he was still dealing marijuana,  
26 among other drugs; is that correct?

1 A. Yes, I did.

2 Q. Okay. During the time that you / were there,  
3 did you ever observe any drugs in the apartment?

4 A. Occasionally, but I didn't actually see the  
5 drugs. I knew that he had them \*/ wrapped up like  
6 birthday presents.

7 Q. When was that in relation to his  
8 disappearance?

9 A. Right before.

10 Q. Okay. Did you notice any change in his  
11 behavior before / he disappeared?

12 A. No, not at all.

13 Q. Okay.

14 A. The second time we lived together there was no  
15 more --

16 MS. EVANS: Objection. No question pending, your  
17 Honor.

18 THE COURT: Sustained at / this time.

19 Q. BY MR. SANDERS: Okay. Was there anything  
20 about living with him the second time that gave you  
21 concern about your decision to move in with him? /

22 A. No.

23 Q. Now, even though you didn't see drugs in the  
24 house, did you ever see him with money in the house?

25 A. Yes.

26 Q. And we are / talking about large quantities?

1           A.     Yes.

2           Q.     Okay. During the time that you lived with  
3 Mike, did you also have an opportunity to ever meet  
4 Mike's parents? /

5           A.     I think I met them once before the  
6 disappearance.

7           Q.     Okay. Only tell us if you know, but do you  
8 know what kind of relationship Mike / had with his  
9 parents?

10          A.     Very close.

11          Q.     Okay. And when was the last time you remember  
12 seeing Mike Green?

13          A.     I don't remember the date.

14          Q.     When was / the last time you saw him in  
15 relation to when he disappeared?

16          A.     I think the day before.

17          Q.     Okay. And did he appear angry, upset about \*/  
18 anything when you last saw him?

19          A.     No.

20          Q.     Now, you said you think you met his parents  
21 once before Mike disappeared. What happened after Mike  
22 went / missing around the house with family and  
23 friends?

24          A.     Well, everyone was just calling each other and  
25 starting to wonder about where he was. We started /  
26 going through pictures.

1 Q. What was the purpose of that?

2 A. Well, I was just helping make some fliers.

3 Q. Okay. And, eventually, did you then also  
4 speak / to police officers?

5 A. Yes, they came to my work.

6 Q. Okay. And did you answer all the questions  
7 you could to the best of your ability? /

8 A. Yes.

9 MR. SANDERS: Thank you. Nothing further.

10 THE COURT: Cross-examination, Ms. Evans.

11 MS. EVANS: Thank you, your Honor.

12 THE COURT: Proceed.  
13  
14

15 CROSS-EXAMINATION

16 Q. BY MS. EVANS: Good morning, ma'am.

17 A. Good morning.

18 Q. All right. Before you met Mike Green / you  
19 were dating Jimmy Cooper?

20 A. Yes.

21 Q. And he was already friends with Mike Green  
22 then?

23 A. Yes.

24 Q. Before you moved in with them were you aware /  
25 that Mike Green was a drug dealer?

26 A. Yes.

1 Q. And despite that knowledge, you were okay  
2 living with him; is that correct?

3 A. Yes.

4 Q. It is true / that Mike Green introduced your  
5 boyfriend to dealing, correct?

6 A. Not really.

7 Q. You told the police officer that Mike  
8 basically taught Jimmy how to sell cocaine? \*/

9 A. He introduced him to it, yes.

10 Q. To selling cocaine?

11 A. Correct.

12 Q. And marijuana?

13 A. Correct.

14 Q. Were you aware that your boyfriend Jimmy was  
15 introduced to cocaine sales / by Mike Green?

16 MR. SANDERS: Well, I am going to object as asked  
17 and answered. Also, it misstates the testimony.

18 THE COURT: Sustained.

19 Q. BY MS. EVANS: You recall saying that Mike's  
20 girlfriend / was very emotional and that she and Mike  
21 would have verbal fights, true?

22 A. Correct.

23 Q. You described a time where there was an  
24 occasion when you / lived with them that there was a  
25 fight and something fell from the ceiling, correct?

26 A. Yes.

1 Q. In fact, you told the police that she was / so  
2 angry that she pulled down the ceiling tiles and three  
3 bricks of cocaine fell down; is that correct?

4 A. Yes.

5 Q. Can you describe these bricks? /

6 A. Probably three bundles.

7 Q. About the shape and dimension of a brick as  
8 you reported to the police, correct?

9 A. Yes.

10 Q. Now, you observed three bricks of / cocaine  
11 being retrieved from the ceiling during that time,  
12 correct?

13 A. Yes.

14 Q. Do you remember when it was that you observed  
15 these three bricks of cocaine / falling from the  
16 ceiling?

17 A. I had already been there a couple months.

18 Q. You were aware that during this time Mike  
19 Green didn't have a regular \*/ job, correct?

20 A. Yes.

21 Q. The income to pay for the rent and other  
22 things came from proceeds of dealing drugs?

23 A. Correct.

24 Q. I think you said you / lived with him about  
25 six months before he disappeared. Did I hear you  
26 correctly?

1 A. I moved in that summer before he disappeared.

2 Q. Okay. You resided / there about six months  
3 prior to his disappearance, correct?

4 A. Yes.

5 Q. Okay. All right. You didn't observe drugs  
6 except for the one time right before he / disappeared,  
7 and that was in December.

8 A. Yes.

9 Q. You did see him on many occasions with large  
10 sums of money, correct?

11 A. Yes.

12 Q. Were you aware that / he had a safe in his  
13 bedroom at that time?

14 A. I don't recall seeing the safe.

15 Q. Okay. Now, didn't Mike initially explain to  
16 you that / he wasn't selling drugs anymore when you  
17 moved back in with him?

18 A. He had said that he -- his main supply of  
19 income was lending people / money.

20 Q. Actually, he gave the example of how he gave  
21 someone 20,000 dollars on one occasion and got 40,000  
22 dollars back; is that / correct?

23 A. Yes, but I didn't think it was quite that much  
24 back.

25 Q. Your understanding of those loans, they were  
26 for drug purposes, correct?



1 A. Yes.

2 Q. Were \*/ you there when the police came to  
3 search that apartment after he disappeared?

4 A. No, I wasn't there while they conducted the  
5 search.

6 Q. Okay. Now, after / Mike went missing, you  
7 testified you had met with his mother; is that correct?  
8 Did you so testify?

9 A. Correct.

10 Q. Do you recall how many days / after Mike went  
11 missing that you met with his mother?

12 A. Probably a week.

13 Q. You discussed with his mother some of his drug  
14 activities; is that / correct?

15 A. Yes.

16 Q. To the best of your knowledge, was his mother  
17 aware that Mike was a dealer at that time?

18 A. Definitely not.

19 MR. SANDERS: I am going / to object. I will  
20 withdraw.

21 THE COURT: All right. Let's just proceed with the  
22 next question.

23 BY MS. EVANS: Okay. You said that she was not  
24 aware at that time, / correct?

25 Yes.

1 Q. Did you tell her the extent of his involvement  
2 with drugs and money?

3 A. No, not in detail.

4 Q. Okay. I imagine she was upset / to hear this?

5 A. Yes.

6 Q. Thank you very much.

7 A. Okay.

8 MS. EVANS: No further questions, your Honor.

9 THE COURT: Redirect, Mr. Sanders.

10 MR. SANDERS: Thank you, your Honor.

11  
12  
13 REDIRECT EXAMINATION

14 Q. BY MR. SANDERS: Was there any violence / that  
15 you ever saw Mike Green commit on anybody in the time  
16 that you knew him?

17 MS. EVANS: Objection. Relevance.

18 THE COURT: Overruled. You may answer.

19 THE WITNESS: No.

20 Q. BY MR. SANDERS: As far \*/ as Mike's character  
21 for peacefulness or violence, can you give us an idea  
22 of what kind of person he really was?

23 MS. EVANS: Objection. Relevance.

24 THE COURT: Do you / want to be heard side bar on  
25 that?

26 MS. EVANS: No, I'll submit it.

1 THE COURT: Objection overruled.

2 THE WITNESS: He was an extremely peaceful person.

3 MR. SANDERS: If I may have just / one second, your  
4 Honor.

5 THE COURT: Absolutely.

6 Q. BY MR. SANDERS: Subsequent to moving out of  
7 the apartment and your then making the decision to move  
8 back in with Mike Green, / why would you do that?

9 A. I trusted him. He always kept his word and I  
10 felt safe with him. He was not the reason I / left  
11 before.

12 Q. Why did you leave the first apartment?

13 A. I didn't enjoy living there. Amy was too  
14 crazy and there was just always something going / on.  
15 It wasn't a relaxing place to live.

16 Q. Did you ever discuss your feelings with  
17 anyone?

18 A. Well, when I left I told Jimmy I just / needed  
19 to move back home for a while.

20 Q. Did you ever have an argument with Amy?

21 A. Not really about that.

22 Q. What did you argue about? /

23 A. There was never any argument. I told her  
24 before that I thought she was crazy. She, of course,  
25 didn't particularly like that.

1 Q. Just a few \*/ more questions.

2 Now, you testified you told Mike's mother about the  
3 things that Mike was doing to make money. Can you  
4 describe her reaction for / us?

5 A. She was shocked. She didn't understand why  
6 Mike would do that. She just had a lot of questions.

7 Q. Was anyone else present during your /  
8 discussion with Mike's mother?

9 A. Not that I remember. I think it was when we  
10 met for dinner one evening.

11 Q. What were some of her questions / to you, do  
12 you remember?

13 MS. EVANS: Objection. Irrelevant.

14 MR. SANDERS: It just goes to state of mind, your  
15 Honor.

16 MS. EVANS: It would be hearsay, your Honor.

17 THE COURT: Sustained.

18 MR. SANDERS: Nothing further. /

19 THE COURT: Recross, Ms. Evans.

20 MS. EVANS: Nothing further, your Honor.

21 THE COURT: May the witness be excused subject to  
22 recall?

23 MS. EVANS: Yes, your Honor.

24 MR. SANDERS: No problem, your Honor.

1 THE COURT: Okay. Thank you. /

2 You are excused, asked to remain on call through  
3 the District Attorney's Office, please.

4 THE WITNESS: Definitely.

5 THE COURT: Thank you. Please call your next  
6 witness at this time. /

7 MS. EVANS: Before that happens, may we approach  
8 the bench?

9 THE COURT: On or off the record?

10 MS. EVANS: It could be off the record, that's  
11 acceptable.

12 THE COURT: Is this something we / can address  
13 possibly at the recess?

14 MR. SANDERS: I think we need to approach, your  
15 Honor.

16 THE COURT: All right. Let's discuss this side bar  
17 on the record, please. \*/

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